

FILED AT 3:40 O'CLOCK P. M.
DEC 12 2022
ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO CO. TEXAS
BY [Signature] DEPUTY



MERCHANTS BONDING COMPANY (MUTUAL) P.O. BOX 14498, DES MOINES, IA 50306-3498
PHONE: (800) 678-8171 FAX: (515) 243-3854

TEXAS OFFICIAL BOND AND OATH FOR CONSTABLE

THE STATE OF TEXAS

County of Hidalgo

Bond No. TX5148405

KNOW ALL PERSONS BY THESE PRESENTS:

That we, DANIEL MARICHALAR, as Principal, and the MERCHANTS BONDING COMPANY (Mutual), a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto the Governor of the State of Texas, his/her successors in office, in the sum of One Thousand Five Hundred Dollars (\$1,500.00).

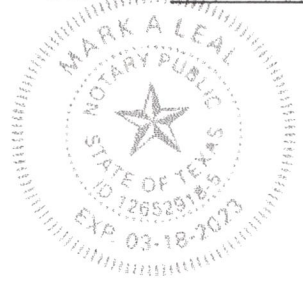
THE CONDITION OF THE ABOVE OBLIGATION is such, that, whereas, the above bounden Principal was on the 8th day of November, 2022, duly Elected to the office of Constable in and for Hidalgo County in the State of Texas, for a term commencing on the 1st day of January, 2023 and expiring on the 31st day of December, 2026.

Now, therefore, if the said Principal shall faithfully perform the duties imposed by law, then this obligation to be void, otherwise to be in full force and effect.

PROVIDED, HOWEVER, that regardless of the number of years this bond may remain in force and the number of claims which may be made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability of the Surety for any and all claims, suits, or actions under this bond shall not exceed the amount stated above. Any revision of the bond amount shall not be cumulative.

PROVIDED, FURTHER, that this bond may be canceled by the Surety by sending written notice to the party to whom this bond is payable stating that, not less than thirty (30) days thereafter, the Surety's liability hereunder shall terminate as to subsequent acts of the Principal.

Dated this 8th day of December, 2022.



DANIEL MARICHALAR Principal

By: [Signature]
Daniel Marichalar

Merchants Bonding Company (Mutual)

By: [Signature]
Ramon Montalvo III Attorney-in-Fact

ACKNOWLEDGEMENT OF PRINCIPAL

THE STATE OF TEXAS

County of Hidalgo

Before me, Mark A. Ceal, a notary public, on this day personally appeared Daniel Marichalar known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, at 211 Swisher Ave Edwaco, TX 78538
this 9 day of December, 2022

Mark A. Ceal Hidalgo County, Texas.

OATH OF OFFICE (General)

DEC 12 2022

ARTURO GUAJARDO, JR., COUNTY CLERK HIDALGO CO. TEXAS

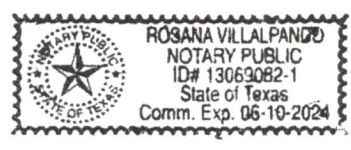
I, Daniel Marichalar, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Constable Hidalgo County, Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

Signed x Daniel Marichalar

Sworn to and subscribed before me at Elsa, Texas, this 12th day of December, 2022

[Signature] Hidalgo County, Texas

SEAL



THE STATE OF TEXAS } ss County of _____

The foregoing bond of _____ as _____ in and for _____ County and State of Texas, this day approved in open Commissioner's Court.

ATTEST: Date _____ Clerk _____ County Judge, _____ County Court _____ County, Texas

THE STATE OF TEXAS } ss County of _____

I, _____, County Clerk, in and for said County, do hereby certify that the foregoing Bond dated the _____ day of _____, with its certificates of authentication, was filed for record in my office the _____ day of _____, at _____ o'clock _____ M., and duly recorded the _____ day of _____, at _____ o'clock _____ M., in the Records of Official Bonds of said County in Volume _____, on page _____.

WITNESS my hand and the seal of the County Court of said County, at office in _____, Texas, the day and year last above written.

_____ Clerk By _____ Deputy County Court _____ County

Vernon's Texas Statutes and Codes Annotated
Local Government Code (Refs & Annos)
Title 3. Organization of County Government
Subtitle B. Commissioners Court and County Officers
Chapter 86. Constable
Subchapter A. General Provisions

V.T.C.A., Local Government Code § 86.002

§ 86.002. Oath; Bond

Effective: September 1, 2005

Currentness

(a) Before entering on the duties of office, a person who is elected to the office of constable must execute a bond with two or more good and sufficient sureties or with a solvent surety company authorized to do business in this state. The bond must be payable to the governor and the governor's successors in office and conditioned that the constable will faithfully perform the duties imposed by law. The bond must be approved by the commissioners court of the county. The commissioners court shall set the bond in an amount of not less than \$500 or more than \$1,500.

(b) A person who is elected constable must also take and sign the constitutional oath of office. The oath shall be endorsed on the bond, together with the certificate of the officer who administers the oath. The bond and oath must be deposited and recorded in the office of the clerk of the county court.

(c) The bond is not void on the first recovery but may be sued on from time to time in the name of an injured party until the whole amount of the bond is recovered.

(d) A person who is elected or appointed to the office of constable and who has given the necessary bond and taken the oath of office may immediately perform the duties of the office. The acts of the constable are as valid in law as if the constable were commissioned.

(e) Repealed by Acts 1995, 74th Leg., ch. 683, § 1.

Credits

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 683, § 1, eff. Aug. 28, 1995; Acts 2005, 79th Leg., ch. 1094, § 18, eff. Sept. 1, 2005.

Notes of Decisions (66)

V. T. C. A., Local Government Code § 86.002, TX LOCAL GOVT § 86.002
Current through the end of the 2021 Regular and Called Sessions of the 87th Legislature.

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Vernon's Texas Statutes and Codes Annotated
Constitution of the State of Texas 1876 (Refs & Annos)
Article XVI. General Provisions

Vernon's Ann.Texas Const. Art. 16, § 1

§ 1. Official Oath

Effective: November 26, 2001

Currentness

Sec. 1. (a) All elected and appointed officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

“I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.”

(b) All elected or appointed officers, before taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

“I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.”

(c) Members of the Legislature, the Secretary of State, and all other elected and appointed state officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath or Affirmation of office prescribed by Subsection (a) of this section. All other officers shall retain the signed statement required by Subsection (b) of this section with the official records of the office.

Credits

Amended Nov. 8, 1938; Nov. 6, 1956; Nov. 7, 1989; Nov. 6, 2001, eff. Nov. 26, 2001.

Editors' Notes

INTERPRETIVE COMMENTARY

2018 Main Volume

This section provides that members of the legislature and all state officials before taking office must subscribe to an oath of office exacting their support of the state and federal constitutions. It also provides that these officials must further swear that in their election they abstained from bribery of voters either directly or indirectly by offering or promising money or any valuable consideration for votes.

The oath of office first appeared in the [Constitution of 1845 \(Art. 7, § 1\)](#), and contained a statement that the official had never participated in a duel. Dueling had been considered in need of some legislative curbing which it was thought that the oath supplied. While dueling was generally accepted, it was felt that holders of public office should be above dueling for the practice of challenging to a duel tended to interfere with candor of speech in legislative gatherings. In all succeeding constitutions, including the present constitution, this declaration on dueling appeared. The impossibility for a duelist to hold office in the state did much to render the “code of honor” an extinct custom, and this portion of the oath of office became outworn and useless and was thus abandoned in 1938 when the present oath of office was adopted.

The clause requiring a denial of bribery first appeared in the present constitution and was the direct outcome of the official corruption which had reached alarming proportions during the reconstruction period. It has been seriously questioned whether such a provision in an oath of office is of much effect, for it has been pointed out that men who bribe will have little hesitancy about falsification.

There was a time when oaths embarrassed falsehood. They may still be of some use in courts, when the judge can caution witnesses, and the perils of perjury can be emphasized. But taken upon entering office, oaths now accomplish little else than to lend dignity to the entrance upon public service and to honorable men bring home the seriousness of their responsibilities.

[Notes of Decisions \(66\)](#)

Vernon's Ann. Texas Const. Art. 16, § 1, TX CONST Art. 16, § 1

Current through the end of the 2021 Regular and Called Sessions of the 87th Legislature.